

Hon. Jamal Whitehead

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In Re the Application of :

CASE NO: 2:23-cv-1712

Dale Harvey,
Petitioner/Plaintiff,

MOTION For Clarification and Further
relief PURSUANT TO ORDER 1.5.24
(document 56)

v.

Garann Rose Means
Respondent/Defendant.

This motion is brought by Petitioner For Clarification and Further relief PURSUANT TO ORDER 1.5.24 (document 56). This motion concerns the discovery ordered in that said order. This motion is based on all the files and records herein and on the declaration below.

I. INTRODUCTION AND ARGUMENT

The Respondent stated in her Status Report filed on December 29th 2023 that “ Respondent would anticipate gathering testimony from physicians, which can hopefully be completed within about two weeks.” Petitioner wishes to know details about the testimony of these “physicians” to

Motion

Page 1

FLEXX LAW, P.S.
14205 SE 36th Street, Suite 100, PMB 479
Bellevue, WA 98006
(206) 343-6362
maggie@flexxlaw.com

2
4 prepare for the evidentiary hearing. To that end, Petitioner has drafted interrogatories and requests
6 for production of documents to Respondent, attached Attachment A. Petitioner needs this
8 information to prepare his case.

10 The discovery permitted by the Court's said order is an abbreviated discovery schedule outside
12 regular discovery deadlines and procedures as set out in the Federal Rules. Petitioner requests that
14 the Court permit the interrogatories and requests for production (Attachment A) to be made to
16 Respondent in a shortened time and without a discovery conference between parties, and order that
18 Respondent answer and respond to the attached Attachment A by noon on 16th January 2024 by
20 delivering said answers and responses and documents to Petitioner's counsel by email to:
22
24 maggie@flexxlaw.com.

26 There has been no conference with Respondent on the discovery issue. The Respondent still has a
28 protection order against Petitioner (pending a further hearing) which may or may not preclude a
30 conference, and there are time constraints.

32 A Word version of Attachment A will be sent to Respondent as a courtesy after filing this motion.
34

36 Respectfully submitted:

38 

40 Marguerite Smith WSBA# 16438, Attorney for Petitioner

42

44

46

48

50

Motion

Page 2

FLEXX LAW, P.S.
14205 SE 36th Street, Suite 100, PMB 479
Bellevue, WA 98006
(206) 343-6362
maggie@flexxlaw.com

2

4 I declare under penalty of Perjury under the laws of the State of Washington the foregoing is true
and correct:

6 Signed this ____ day of _____ 2024 at _____ city _____ country

8

10

See attached signature page.

12 Dale Harvey

14

16

18

20

22

24

26

28

30

32

34

36

38

40

42

44

46

48

50

Motion

Page 3

FLEXX LAW, P.S.
14205 SE 36th Street, Suite 100, PMB 479
Bellevue, WA 98006
(206) 343-6362
maggie@flexxlaw.com

I declare under penalty of Perjury under the laws of the State of Washington the foregoing is true and correct:

Signed this 1 day of JAN 2024 at Glasgow city Scotland country



Dale Harvey

Motion

Page 3

FLEXX LAW, P.S.
14205 SE 36th Street, Suite 100, PMB 479
Bellevue, WA 98006
(206) 343-6362
maggie@flexxlaw.com

ATTACHMENT A

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In Re the Application of :

CASE NO. 2:23-cv-1712

Dale Harvey,
Petitioner/Plaintiff,

Petitioner's Interrogatories and Requests
for Production of Documents TO
RESPONDENT

v.

Garann Rose Means
Respondent/Defendant.

TO RESPONDENT: GARANN ROSE MEANS: PLEASE ANSWER AND PRODUCE
DOCUMENTS AS FOLLOWS:

Please attach pages as needed identifying which interrogatory or request for production you are
addressing in the attached pages.

INTERROGATORY NO. 1: Please identify (with the name and address telephone number and
email address) any physicians or other medical or mental health providers that you intend to use
as witnesses in the evidentiary hearing in this case (currently scheduled for January 26th).

ANSWER:

FLEXX LAW, P.S.
14205 SE 36th Street, Suite 100, PMB 479
Bellevue, WA 98006
(206) 343-6362
maggie@flexxlaw.com

2
4
6
8
10
12
14 INTERROGATORY NO. 2: Please detail the testimony that you expect from the physicians and
16 other medical or mental health providers referenced in Interrogatory No. 1 (including the subject
18 matter of the testimony/name of the patient and exactly what you expect each physician, other
20 medical or mental health provider to say).

22 ANSWER:
24
26
28
30
32
34
36
38
40
42
44
46
48
50

2
4 REQUEST FOR PRODUCTION NO. 1: Please produce a written report (you may produce a
6 copy) for each physician, other medical or mental health provider referenced in the interrogatory
8 No 1 detailing that person's opinion concerning any matter involved in this case.

10 RESPONSE:

12
14
16
18
20 REQUEST FOR PRODUCTION NO. 2: Please produce a copy of all written reports or other
22 written opinions of the each physician, other medical or mental health provider referenced in the
interrogatory No 1.

24 RESPONSE:

26
28
30
32
34
36 REQUEST FOR PRODUCTION NO. 3: Please produce a copy of the curriculum vitae/resumes
38 of each physician, other medical or mental health provider referenced in Interrogatory No 1

40
42 RESPONSE:

2
4
6 INTERROGATORY NO. 3: With regard to each physician or other medical or mental health
8 provider referenced in Interrogatory No. 1 please state the date on which you first consulted that
10 person.

12 ANSWER:
14

16 Verification of Answers and Responses to Interrogatories and Requests for Production
18

20
22
24
26
28 I declare under penalty of perjury under the laws of the State of Washington that 1) I am
30 the individual to whom these Interrogatories and Requests for Production are addressed, 2) I have
32 read the foregoing Answers and Responses to the Interrogatories and Requests for Production and
34 know the contents thereof, 3) and my Answers and Responses to the Interrogatories and Requests
36 for Production are true and correct.

38
40 Signed this _____ day of _____ at
42 _____ city, _____ (state)

44
46 Date _____ Garann Rose Means
48 Respondent

50
FLEXX LAW, P.S.
14205 SE 36th Street, Suite 100, PMB 479
Bellevue, WA 98006
(206) 343-6362
maggie@flexxlaw.com